

2. AUTHORITY AND RESPONSIBILITIES

2.1 Office of Management and Budget (OMB)

In Public Law 104-106, the Information Technology Management Reform Act of 1996, OMB:

- Promotes the acquisition, use, and disposal of information technology systems, including wireless telecommunication services, by the Federal Government to improve the productivity, efficiency, and effectiveness of Federal programs.
- Develops, as part of the budget process, a process for analyzing, tracking, and evaluating the risks and results of all major capital investments of wireless telecommunication services.
- Informs Congress on the program performance benefits to be achieved as a result of major capital investments and how the benefits relate to the accomplishment of the goals of the Federal agencies.

2.2 National Telecommunications and Information Administration (NTIA)

Chapter 1 of the NTIA Manual presents the national authority and responsibilities that the President has delegated to the Department of Commerce in Executive Order 12046, which subsequently have been delegated to NTIA.

NTIA authorizes the use of spectrum resources for the Federal Government departments and agencies' radiocommunication services through its spectrum certification and frequency authorization processes.

2.3 Federal Communications Commission (FCC)

The FCC, through the Communications Act of 1934 as amended, authorizes the use of spectrum resources for state and local governments, the private sector, and the public's wireless telecommunication services.

2.4 National Communications System (NCS)

The NCS, by Executive Order 12472, plans the use of information technology systems, including radiocommunication services, in support of national security and emergency preparedness (NS/EP) incidents. The NCS is not a separate system, but consists of the information systems of

the Federal entities that are shared in the event of an emergency. See the NS/EP Telecommunications Procedural Guide for procedures regarding the use of radiocommunication services.

2.5 Chief Information Officer (CIO)

The CIO has the overall responsibility for radiocommunication service policy and management for the Department including electromagnetic spectrum resources and spectrum-dependent programs and systems, and assures compliance with national and international regulations.

The CIO designates accredited individuals to represent the Department with other Federal and State agencies and with industry on activities related to NTIA, NCS, and Departmentwide radiocommunication projects and programs.

The mission of the CIO includes:

- Providing Departmentwide guidance and expert advice concerning engineering services to support the Department's design, development, and implementation of radiocommunication services.
- Assuring that all Departmental radiocommunication services adhere to Departmental quality standards.
- Developing and coordinating Departmental policy for the use of radiocommunication services and spectrum resources.
- Overseeing DOE-wide radiocommunication service configuration management and assuring system development is accomplished in a consistent manner to maximize the availability to all Department of Energy stakeholders.
- Coordinating and obtaining approval for the Department's use of radiocommunication services for spectrum certification from the NTIA.
- Coordinating and obtaining approved frequency authorizations from the NTIA.

2.6 The Heads of Headquarters Elements and Field Organizations

These offices are responsible for:

- Determining requirements; budgeting; and effectively, efficiently, and prudently managing radiocommunication services and assigned spectrum resources.
- Developing implementation policy guidance and operational procedures unique to their radiocommunication service requirements.
- Assuring that adequate coordination planning is done by their staffs prior to the submission of radio plans and requests for spectrum certification or frequency

authorization.

- Ensuring that existing and proposed radiocommunication services conform to DOE directives and applicable national and international regulations, and ensuring the accuracy, currency, and completeness of requests.
- Forwarding requirements for spectrum support to Headquarters for appropriate action at the DOE/national level.
- Ensuring that reports and other information, as required for efficient and cost-effective radiocommunication services and spectrum management, are submitted on a timely basis.
- Designating accredited individuals to be the point(s)-of-contact for management and administration of wireless and spectrum matters and their representative(s) to the DOE Wireless Working Group, the principal body in the Department for DOE-wide planning of wireless telecommunications services and associated spectrum matters.

2.7 DOE Wireless Working Group Representative

The DOE Wireless Working Group (WWG), prior to the Charter of the Wireless Telecommunications Working Group (<http://cio.doe.gov/spectrum/charter.htm>), was formerly known as the Land Mobile Radio Working Group.

The responsibilities of the representative are to:

- Integrate voice, data, messaging, imaging, and/or video wireless telecommunication service needs that meet national and Departmental policies, objectives, and cost constraints.
- Integrate in-building, mobile, and nationwide wireless telecommunication services to acquire the best seamless telecommunication service available to the Department.
- Integrate public safety Federal, state, and local government radiocommunication service needs.
- Define the requirements that can be satisfied with a family of radiocommunication services within a reasonable time frame.
- Develop radiocommunication service and spectrum transition plans and an acquisition strategy with the flexibility to incorporate product substitution and engineering upgrades to guard against early obsolescence of radiocommunication service technologies.

2.8 Area Frequency Coordinator

The responsibilities of the Area Frequency Coordinator shall include, but not be limited to the following:

- Serve as a point-of-contact on frequency and spectrum management matters.
- Maintaining an awareness of radio-related matters and a comprehensive working technical knowledge of national and Departmental spectrum management policies, rules, regulations, standards, and procedures.
- Formulating and specifying entity-wide spectrum needs; maintaining a database for all licensed and non-licensed services that includes system and spectrum technical characteristics, operational use, and geographical coverage area; and providing inputs to DOE-wide plans.
- Corroborating, reviewing for regulatory compliance, and coordinating as required all spectrum requirements prior to preparing and submitting spectrum certification and frequency authorization requests to Headquarters.
- Coordinating and resolving any interference incidents as appropriate.
- Reviewing operations to ensure that the repair and use of all Government-authorized radiocommunication services comply with national and Departmental policies and authorizations.
- Maintenance and Tests - Any adjustments to the frequency, bandwidth, power or any other variable which may affect the emission of a radio transmitter must be made by or under the immediate supervision and responsibility of personnel holding a general radiotelephone operator's license issued by an approved Government or non-Government certification organization that is representative of users in the Land Mobile and Fixed Services.
- Policies Concerning Technician Certification Organization - All authorities, organizations, or committees which issue radiotelephone technician operator certificates must use a qualified, recognized, and acceptable technician training program. Under no circumstances should DOE personnel direct or forward inquiries and requests pertaining to the above matter to the FCC.

2.9 Contractor Frequency Management Responsibilities

If a non-Management and Operation (M&O) contractor requires the use of spectrum resources under the terms of a Government contract, a determination must be made as to whether the Governmental agency should apply to the NTIA for spectrum certification or frequency

authorization or whether the contractor should apply to the FCC. The determination is based upon whether the radio station "belongs to and is operated by" the Government agency or the contractor. Section 305 of the Communications Act of 1934, as amended, provides in part that "Radio stations belonging to and operated by the United States shall not be subject to the provisions of Sections 301 and 303 of this Act. All such Government stations shall use such frequencies as shall be assigned to each, or to each class, by the President."

When the FCC coordinates with the IRAC a proposed radio frequency authorization to be used directly in support of a Government contract (excluding a grant), the contracting Government agency is responsible for:

- Verifying the validity of the contract.
- Certifying that the proposed frequency authorization or its equivalent is necessary for the fulfillment of the contract.

A non-M&O contractor requiring the use of radio frequencies under the terms of a Government contract has the following responsibilities:

- Ensure that all Government-funded, radiocommunication services requiring support or otherwise impacting the electromagnetic spectrum resources are referred to the Area or Local Field Frequency Management Authority, who will obtain national operational authority or certification of spectrum availability, as appropriate. Spectrum authority or certification is required prior to the expenditure of funds for equipment utilizing or impacting the electromagnetic spectrum.
- Submit purchase requisitions for equipment which utilizes or impacts the electromagnetic spectrum to the Area or Local Field Frequency Manager for approval prior to taking procurement action.
- Ensure that existing and proposed radiocommunication services conform to national, international, and Departmental standards.
- Ensure adherence to DOE requirements for maintaining maintenance records, inventory records, and other actions, as specified in Section 5 of this Guide.
- Establish a Frequency Coordinator as a single point of contact for handling the normal and emergency frequency coordination requirements for radiocommunication services supporting operating contractor programs and other contractor programs designated by DOE.
- Develop and maintain a current emergency radiocommunication services file and standard operating instructions in support of national and local emergencies.

- Prior to bringing into operation a radiocommunication service procured with funds provided by other than the Federal Government, ensure that a request for approval of the proposed use is submitted to the Frequency Manager. Requests should include:
 - (1) documentation to show that the operation of the equipment is appropriately licensed under the authority of the FCC.
 - (2) adequate technical data to allow analysis of the intended use to ensure electromagnetic compatibility with Governmental operations in the given area.